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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Stephen James FIELD et al.

Serial No. 10/803,882

Filed: March 19, 2004

For: MEDICAL DEVICES

Art Unit: 3737

Examiner: Baisakhi, Roy

Atty Docket: 0119/0034

**RESPONSE TO NOTIFICATION  
OF NON-COMPLIANT APPEAL BRIEF**

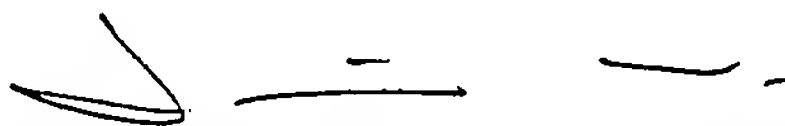
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Non-Compliant Appeal Brief dated January 21, 2009, attached is a substitute STATUS OF CLAIMS (page 6) of the Appeal Brief that now lists the status of all of the claims.

It is requested that page 6 of the Appeal Brief filed on December 9, 2008 be replaced by the attached substitute STATUS OF CLAIMS.

Respectfully submitted,

  
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Date: Jan 30, 2009



## STATUS OF CLAIMS

Claim 2 has been cancelled.

Claims 1 and 3-18 stand rejected.

Claims 1 and 3-18 accordingly are pending in this application and are being appealed. The being appealed claims are reproduced in the Claims Appendix.